**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**W.P. No. 22870 of 2007**

**Date:30-10-2007**

Between:

P. Sambasiva Rao

**…Petitioner**

AND

The Joint Collector, Ranga Reddy and (7) others

**.. Respondents**

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**ORDER**:

The petitioner seeks a writ of mandamus to declare the inaction on the part of the 1st respondent – revisional authority in not taking up the petitions for interim relief in Case No.D5/1440/2007, having entertained the revision, as illegal and arbitrary and consequently direct the respondents 4 to 8 to forbear from construction or any activity resulting in change of nature and identity of the subject land admeasuring Ac.46.22 guntas in Sy.Nos.123, 133, 134 and 142 of Mankhala village, Maheshwaram mandal, Ranga Reddy district pending disposal of the revision petition pending on the file of the 1st respondent.

It is the case of the petitioner that he is the owner of the land admeasuring Ac.46.22 guntas in Sy.Nos.123, 133, 134 and 142 of Mankhala village, Maheshwaram mandal, Ranga Reddy district by virtue of an agreement of sale, dated 19.09.1993 executed by one Bala Prasad and others and the petitioner filed suit O.S.No.499 of 2005 on the file of the II Additional Senior Civil Judge, Ranga Reddy District for specific performance of agreement of sale which was decreed and the Court executed the sale deed bearing document No.16024 of 2006 on the file of the Joint Sub-Registrar, Ranga Reddy District. While so, the petitioner came to know that the land was already mutated in the name of the respondents 4 to 8 vide proceedings No.D/3872/1996, dated 15.04.1997 by the third respondent/Mandal Revenue Officer. Aggrieved by the said order, the petitioner filed an appeal before the

second respondent/Revenue Divisional Officer and the second respondent in File No. A2/1200/2003 dismissed the appeal on 02.03.2007 on the ground that the vendor of the petitioner has already sold the land and therefore, the vendor of the petitioner has no saleable right and the revenue records show that the names of the vendors of the petitioner herein is not found in the possession column. Aggrieved by the said order, the petitioner filed revision before the first respondent/Joint Collector on 28.04.2007 which is numbered as Proc.No.D5/1440 of 2007. It is stated that the petitioner also filed an application to grant interim injunction restraining the unofficial respondents herein from changing the nature of the lands.

I am not inclined to express any opinion in view of the elaborate order passed by the appellate authority, which is a subject matter of the revision and also not inclined to grant any injunction pending disposal of the appeal.

However, having regard to the facts of the case, the writ petition is disposed of directing the first respondent to consider and dispose of the revision pending in Proceedings No. D5/1440 of 2007 uninfluenced by any of the observations made in this writ petition after giving reasonable opportunity to the petitioner, as expeditiously as possible without any unnecessary delay. There shall be no order as to costs.

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**V.ESWARAIAH, J.**

Date:30.10.2007
**ccm**